

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:

ALL CASES.

MDL No. 1:13-md-2419-RWZ

**PLAINTIFFS' STEERING COMMITTEE'S AMENDED MOTION
TO SCHEDULE ORAL ARGUMENT ON CERTAIN MOTIONS FOR
STATUS CONFERENCE ON DECEMBER 4, 2014¹**

The Plaintiffs' Steering Committee ("PSC") hereby moves the Court to schedule the following motions for oral argument during the status conference to be held on December 4, 2014 at 11:30 a.m.:²

1. PSC's Motion to Compel the St. Thomas Entities to Respond to Certain Interrogatories [Doc. 1549].³

- a. PSC's Memorandum in Support [Doc. 1550]
- b. PSC's Notice of Filing of Declaration [Doc. 1551]
- c. PSC's Declaration [Doc. 1552]
- d. PSC's Corrected Declaration [Doc. 1555]

2. Encino Outpatient Surgery Center, Inc. Motion to Dismiss for Lack of Jurisdiction and Insufficient Service of Process [1:14-cv-12884, *Luna-Wynstock* Doc. 22].

¹ This amended motion is filed in lieu of the original motion [Doc. 1562] in order to remove Liberty Industries' Offer of Judgment [Doc. 1394] from the list of motions being scheduled for oral argument on December 4, 2014.

² The Court has already scheduled PSC's Motion to Compel Production of Insurance Agreements for oral argument at a status conference before the Hon. Jennifer C. Boal, United State Magistrate Judge, on December 4, 2014 at 11:30 a.m. See Doc. 1468 (PSC's Motion to Compel Production of Insurance Agreements), Doc. 1469 (PSC's Memorandum in Support), Doc. 1470 (PSC's Declaration), Doc. 1494 (St. Thomas Entities' Response in Opposition), and Doc. 1506 (setting matter for oral argument).

³ The St. Thomas Entities' Memorandum in Opposition is scheduled to be filed no later than December 3, 2014, and the St. Thomas Entities have objected to this matter being scheduled for oral argument on December 4, 2014.

- a. Plaintiff's Opposition [*Luna-Wynstock* Doc. 30]
- b. Encino Reply [*Luna-Wynstock* Doc. 33]
3. Jeffrey B. Glaser, M.D. and Jeffrey B. Glaser, M.D., Medical Corporation d/b/a Glaser Pain Institute's Motion to Dismiss [*Luna-Wynstock* Doc. 27, 28, 29].
 - a. Plaintiff's Opposition [*Luna-Wynstock* Doc. 34]
 - b. Jeffrey B. Glaser, M.D. and Jeffrey B. Glaser, M.D., Medical Corporation d/b/a Glaser Pain Institute's Reply [*Luna-Wynstock* Doc. 36]
 - c. Plaintiffs' Sur-Reply [*Luna-Wynstock* Doc. 37]
4. Motion for Summary Judgment by Hahnemann University Hospital, Pain Care Professionals-Pain Center at Hahnemann, Tenent Healthsystem Hahnemann, LLC [1:14-cv-10434, *King* Doc. 16].
 - a. Plaintiff's Response in Opposition to Motion for Summary Judgment [*King* Doc. 21]
 - b. Letter/request (non-motion) from Plaintiff Norma King for extension of time to secure new counsel [*King* Doc. 26]

WHEREFORE, the Plaintiffs' Steering Committee hereby moves the Court to enter the attached Order.

Dated: November 25, 2014

RESPECTFULLY SUBMITTED,

/s/ Patrick T. Fennell
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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Patrick T. Fennell, hereby certify that I caused a copy of the above *Plaintiffs' Steering Committee's Amended Motion to Schedule Oral Argument on Certain Motions for Status Conference on December 4, 2014*, to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access this filing through the Court's system, and notice of this filing will be sent to those parties by operation of the Court's CM/ECF system.

Dated: November 25, 2014

/s/Patrick T. Fennell
Patrick T. Fennell, VSB 40393